

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

DOREEN VANSELOUS

v.

BUCKS COUNTY
INTERMEDIATE UNIT NO. 22

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CIVIL ACTION

NO. 13-4805

FILED

JUN 18 2014

MICHAEL E. KUNZ, Clerk
By _____ Dep. Clerk

ORDER

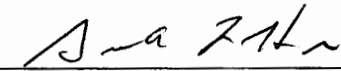
AND NOW, this 18TH day of JUNE, 2014, upon careful and independent consideration of the pleadings and record herein, and after review of the Report and Recommendation of United States Magistrate Judge Thomas J. Rueter, it is hereby

ORDERED

1. The Report and Recommendation is **APPROVED** and **ADOPTED**; and
2. The Motion of Defendant to Dismiss Plaintiff's Complaint pursuant to Federal Rules of Civil Procedure 12(b)(6) filed by defendant Bucks County Intermediate Unit No. 22 (Doc. 3) is **GRANTED** as follows:
 - a. Defendant's motion is **GRANTED WITHOUT PREJUDICE** with regard to Count IV of the Complaint, plaintiff's claim under the Rehabilitation Act. Plaintiff is granted leave to file an amended complaint articulating a basis for the application of equitable tolling to the statute of limitations and demonstrating that punitive damages are recoverable against defendant. If plaintiff does not file an amended complaint within the time specified by the court, the court should dismiss this Count IV with prejudice and close the case.
 - b. Defendant's motion is **GRANTED WITH PREJUDICE** as to plaintiff's

claims under the ADA (Counts I, II, and III), the PHRA (Count VI), and the IDEA (Count V).

BY THE COURT:

A handwritten signature in black ink, appearing to read "Gerald A. McHugh", is written over a horizontal line.

GERALD A. MCHUGH

J.